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Section 8 #3

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: October 16, 2001

By: Lynnea B. Anderson

Docket No. 5756-0013.30

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Richard L. Mueller et al.

EXAMINER: Unknown

SERIAL No.: 09/891,715

ART UNIT: 1619

FILED: 26 June 2001

FOR: **METHOD AND APPARATUS FOR  
TREATING ISCHEMIC TISSUE**

**Response to Notice to File Missing  
Parts of Application**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. In response to the Notice to File Missing Parts mailed August 20, 2001 (copy enclosed), applicant submits the following:

- ☒ An Executed Declaration of Inventorship
- ☒ A Power of Attorney by Assignee
- ☒ a copy of an assignment recordation cover sheet for informational purposes only (Form PTOL-1595) for assignment being filed separately.

2. Conditional Petition for Extension of Time

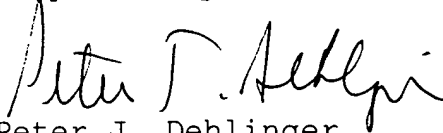
Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. Fee Payment

- ☒ Applicant claims small entity status. See 37 CFR \$1.27.

- ☒ Please charge Deposit Account 50-0665 for the surcharge due of \$65.00 for late filing of the declaration. Please charge any underpayment for timely filing of this Response to Deposit Account No. 50-0665.

Respectfully submitted,

  
Peter J. Dehlinger  
Registration No. 28,006

Date: 10-16-01

**Correspondence Address:**

Customer No. 22918

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COMMISSIONER FOR PATENTS  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/891,715	06/26/2001	Richard L. Mueller	5756-0013.30

CONFIRMATION NO. 1828

22918  
IOTA PI LAW GROUP  
350 CAMBRIDGE AVENUE SUITE 250  
P O BOX 60850  
PALO ALTO, CA 94306-0850

**FORMALITIES LETTER**

\*OC000000006445262\*

Date Mailed: 08/20/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 65.**

***A copy of this notice MUST be returned with the reply.***

M-L  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

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